IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

Bail Appl..No. 3826 of 2007()

CRIME NO.190/07 OF CHENGANNUR POLICE STATION
CMP.1178/2007 of J.M.F.C.-I, CHENGANNUR

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PETITIONER/1ST ACCUSED IN CRIME NO.190/2007:

KANAKAN @ REJI, AGED 32 YEARS, RESIDING
AT CHERIVUPURAYIDATHIL VEEDU, KEEZHCHERIMEL MURI,
CHENGANNUR, CHENGANNUR TALUK.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.AJITH MURALI

RESPONDENTS: COMPLAINANT IN CRIME NO.190/2007:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 3826 of 2007

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Dated this the 26th day of June, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 379 I.P.C. On 5.4.2007 theft of a car took place. Four accused persons, including the petitioner, were intercepted with the vehicle on 6.4.2007 within the jurisdiction of a different police station. Investigation is now complete. Final report has already been filed. Cognizance has been taken. All the co-accused have been released on bail. But the petitioner's application for regular bail has been dismissed. The petitioner continues in custody from 6.4.2007.

2. The learned counsel for the petitioner submits that there is absolutely no justification in insisting that the petitioner alone should remain in custody. The fact that the co-accused have not complied with the conditions or that the petitioner is involved in another crime are by themselves not sufficient reasons to deny bail to the petitioner. In these circumstances the learned counsel prays that subject to appropriate terms and conditions bail may be granted to the petitioner.

3. The learned Prosecutor does not oppose the application, but insists that appropriate conditions may be imposed, considering the nature and circumstances of the case.

4. I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

5. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) The petitioner shall report before the Investigating Officer between 10 a.m. and 12 noon on the first Monday of all English Calender months until the case against him is disposed of.

© The petitioner shall furnish the address of the place of his residence to the Investigating Officer within seven days from the date of his

release and shall continue to keep the officer informed of such change in address, if any.

(R. BASANT)
Judge

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